

(c) ***Motion to Seal or Otherwise Restrict Public Access.*** A party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:

- (1) A non-confidential description of the material sought to be sealed;
- (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3) Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4) Supporting statutes, case law, or other authority.

Local Rule 6.1. It appears that the requirements of Local Rule 6.1(c)(1) through (4) have been adequately met.

By the instant motion, Plaintiff seeks to seal "Plaintiff's Memorandum Of Law In Opposition To Defendant's Motion For Summary Judgment" (Document No. 37) because he contends that the brief "contains direct quotes, references and describes the substantive content of Whole Foods Market Group, Inc.'s [] General Information Guide [], which Defendant marked 'confidential' and produced pursuant to" the Protective Order entered in this case (Document No. 21). (Document No. 34, p. 1). Plaintiff's motion to seal indicates that this confidential document, which is quoted and referenced throughout his response brief to Defendant's summary judgment motion, "contains Defendant's various policies, procedures, employee information, compensation and benefits information, and other competitive and propriety information." (Document No. 33, p. 2). The undersigned notes that Plaintiff has already filed a redacted version of his response brief. See (Document No. 35).

Having considered the factors provided in Local Rule 6.1(c), the Court will grant the motion to seal. Noting that the time for public response has not run to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. See Local Rule 6.1(e).

IT IS, THEREFORE, ORDERED that “Plaintiff’s Motion To File Under Seal” (Document No. 33) is **GRANTED**. Document No. 37 shall remain under **SEAL** until otherwise ordered by this Court.

SO ORDERED.

Signed: January 14, 2022



David C. Keesler
United States Magistrate Judge

